

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-13996
Non-Argument Calendar

D.C. Docket No. 6:18-cr-00171-RBD-LRH-1

UNITED STATES OF AMERICA,

Petitioner-Appellee,

versus

JEROME LAMAR PITTS,
a.k.a. Jeron Pitts,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(June 22, 2021)

Before WILSON, JORDAN, and GRANT, Circuit Judges.

PER CURIAM:

Jerome Pitts appeals his sentence of 108 months' imprisonment for knowingly receiving child pornography in violation of 18 U.S.C. § 2252A(a)(2)

and (b)(1). The government moves to dismiss the appeal, arguing that Pitts's plea agreement included a sentence appeal waiver. Because the record confirms that Pitts knowingly and voluntarily waived his right to appeal and that this appeal does not fall under any of the waiver's exceptions, the government's motion to dismiss the appeal is GRANTED. *See United States v. Bushert*, 997 F.2d 1343, 1350–51 (11th Cir. 1993) (sentence appeal waiver will be enforced if it was made knowingly and voluntarily).

IN THE SUPREME COURT OF THE UNITED STATES

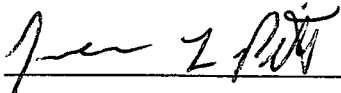
JEROME LAMAR PITTS

V

UNITED STATES OF AMERICA

Comes now, Jerome L. Pitts, proceeding Pro Se, to request leave of this Court to file the accompanying Petition for Certiorari In Forma Pauperis, having previously been granted pauper status in the Middle District of Florida and the Eleventh Circuit Court of Appeals on this same case. He is currently incarcerated in the Federal Satellite Low located in Jesup, Georgia. He contends now that his indigence has not materially changed since the time he was granted pauper status in the lower courts. I, Jerome L. Pitts, hereby swear under penalty of perjury that the foregoing is both true and accurate, to the best of my knowledge.

Respectfully Submitted,



Jerome L. Pitts

1-13-22

Date

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No. 19-13996-GG

UNITED STATES OF AMERICA,

Petitioner - Appellee,

versus

JEROME LAMAR PITTS,
a.k.a. Jeron Pitts,

Defendant - Appellant.

Appeal from the United States District Court
for the Middle District of Florida

ON PETITION(S) FOR REHEARING AND PETITION(S) FOR REHEARING EN BANC

BEFORE: WILSON, JORDAN, and GRANT, Circuit Judges.

PER CURIAM:

The Petition for Rehearing En Banc is DENIED, no judge in regular active service on the Court having requested that the Court be polled on rehearing en banc. (FRAP 35) The Petition for Panel Rehearing is also denied. (FRAP 40)

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